

**From:** Steve Benninghoff  
**To:** Microsoft ATR  
**Date:** 1/25/02 1:38am  
**Subject:** Microsoft Settlement

Dear Judge (or more likely the poor clerks who must read e-mail all day),

I write to express my concern that the government would, after all the work of winning the court battle, not just drop the ball in terms of a remedy, but effectively play into Microsoft's hands by extending their monopoly into one of the few niches where there still is a competitor. There is no doubt the use of the donated software would lead to an increase in MS market share in the poorer school districts, and once they have established that position, those new poor districts will be their customers for life - they would not have the money to switch if they chose to. No good. It really is astonishing to think how far all the dependence upon Microsoft has been allowed to go - for the great majority of people, in all walks of life, their really is little choice. And given how incredibly important computers have become to the country and economy, this is just a bad, bad idea. And there is simply no question that MS has done everything in its power - and that is a lot of power - to directly prevent there ever becoming another player in their game. While the DOJ can't single-handedly fix this massive problem for the security and economic viability of the country, it can make sure there is some opportunity for the situation to right itself by normal market forces. That can't happen when, at every single opportunity, MS plays as dirty a pool as it can to keep other players out of the game. Please, please come up with a remedy that will force them to compete fairly - this is far more important than people realize, from strategic, economic, and national interest perspectives - and by all means don't play right into their hands by letting them supply second-rate equipment and their software to train the poorer districts that Microsoft will control their world - courtesy of an anti-trust remedy!

Thank you sincerely for the work and the effort so far, and all the best wishes in your continued endeavors,

Steven T. Benninghoff  
Interim Director of Technical Communication  
Case Western Reserve University